

UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF MASSACHUSETTS

CIVIL ACTION NO. 05CV11095NG

THOMAS ROY and
LISA ROY,
Plaintiffs,

v.

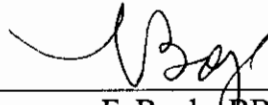
DELAWARE NORTH
COMPANIES, INC. –
BOSTON,
Defendant

**DEFENDANT, DELAWARE NORTH COMPANIES, INC. - BOSTON'S MOTION TO
COMPEL DEPOSITION OF PLAINTIFFS, THOMAS ROY AND LISA ROY**

The defendant, Delaware North Companies, Inc. - Boston, hereby moves pursuant to Federal Rule of Civil Procedure 37(d) for an order compelling the plaintiffs, Thomas Roy and Lisa Roy, to appear for an oral deposition at the office of the defendants' counsel within twenty-one (21) days of the Court's allowance of the instant Motion. In accordance with Rule 37(d), the moving party also seeks costs and attorneys fees associated with filing this motion.

WHEREFORE, the defendant, Delaware North Companies, Inc. - Boston, hereby moves pursuant to Mass. Rules of Civil Procedure 37(d) for an order compelling the plaintiffs, Thomas Roy and Lisa Roy, to appear for an oral deposition at the office of the defendant's counsel within twenty-one (21) days of the Court's allowance of the instant Motion.

The Defendants,
DELAWARE NORTH COMPANIES, INC. -
BOSTON
By their attorney,



Lawrence F. Boyle, BBO# 052680

MORRISON MAHONEY LLP

250 Summer Street

Boston, MA 02210

(617) 439-7500

Dated: 10/7/05

CERTIFICATE OF SERVICE

I, Lawrence F. Boyle, hereby certify that I served a true and correct copy of the foregoing CERTIFICATE OF GOOD FAITH IN SUPPORT OF THE DEFENDANT, DELAWARE NORTH COMPANIES, INC. - BOSTON'S MOTION TO COMPEL DEPOSITION OF PLAINTIFFS, THOMAS ROY AND LISA ROY to the following:

Joseph G. Abromovitz, Esquire
The Law Office of Joseph G. Abromovitz
858 Washington Street, 3rd Floor
Dedham, MA 02026

Dated: September 8, 2005

Attorney: 